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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,327	07/14/2003	Robert Victor Holland	72191	6666
27975 7590 01/28/2008 ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			EXAMINER SMITH, MARCUS	
			ART UNIT 2619	PAPER NUMBER
			NOTIFICATION DATE 01/28/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

creganoa@addmg.com

Office Action Summary

Application No.

10/619,327

Applicant(s)

HOLLAND ET AL.

Examiner

Marcus R. Smith

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-6, 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Sasamoto (US 6,647,264).

With regard to claim 1, Sasamoto teaches:

For use with a multinode cooperative telecommunication network (see figure 1), wherein a respective node (gateway, and mobile routers) is operative to service multiple telecommunication devices coupled to said respective node (column 3, lines 44-55), each communication device having an extension that is used in the course of routing a call from a calling communication device to a called communication device (column 4, lines 1-16: The examiner views the address of the mobile node as the extension), a method of routing a call from a calling communication device at a first node to a called device at another node comprising the steps of (figures 5a (describes the steps) and 7c (shows the process through the network)):

(a) transmitting a query message from said first node (gateway, 114) to all other nodes (routers, 111, 112, and 113) of said network, said query message being operative

to determine whether a respective node receiving said query message is coupled to said called device (mobile, 130) (step s504) (column 5, lines 15-22 and column 6, lines 55-57);

(b) at a second node (router 112) to which said called device is coupled, transmitting a reply message to said first node indicating that said second node is coupled to said called device (steps 505) (column 5, lines 22-26 and column 6, lines 57-61); and

(c) in response to receipt of said reply message by said first node, routing said call from said first node to said second node, so that said second node may complete the connection of said call to said called device (step 506) (column 5, lines 28-35 and column 6, lines 63-66).

with regard to claim 5, Sasamoto teaches:

A method of operating a multinode cooperative telecommunication network comprising a plurality of nodes (gateway, and mobile routers) coupled to one another by way of an internode communication path (column 3, lines 44-55), each node being operative to service multiple telecommunication devices coupled thereto, each communication device having an extension that is used in the course of routing a call from a calling communication device to a called communication device (column 4, lines 1-16: The examiner views the address of the mobile node as the extension), said method comprising the steps of:

(a) in response to the placement of a call from a communication device coupled to a first node (gateway 114) (step 501), causing said first node to examine an

associated call plan (routing table) therefor to determine whether said first node is coupled to said called device (step 502)(column 5, lines 15-22 and column 6, lines 55-57):

(b) in response to said first node determining that said first node is not coupled to said called device, transmitting a query message (search request) from said first node to all other nodes (routers, 111, 112, and 113) of said network, said query message being operative to inquire whether a respective node receiving said query message is coupled to said called device (step 504) (column 5, lines 15-22 and column 6, lines 55-57);

(c) at a second node to which said called device is coupled, transmitting a reply message to said first node indicating that said second node is coupled to said called device (step 505) (column 5, lines 22-26 and column 6, lines 57-61); and

(d) in response to receipt of said reply message by said first node (step 210), routing said call from said first node to said second node, so that said second node may complete the connection of said call to said called device (step 506) (column 5, lines 28-35 and column 6, lines 63-66).

with regard to claim 8, Sasamoto teaches:

A method of operating a multinode, cooperative, restricted access telecommunication network comprising a plurality of nodes coupled to one another by way of an internode communication path, each node being operative to service multiple telecommunication devices coupled thereto, each communication device having an

extension that is used in the course of routing a call from a calling communication device to a called communication device, said method comprising the steps of:

(a) storing at each node a call plan that contains only communication device extensions that are coupled to said each node (step 404, column 4, lines 59-64);

(b) in response to the placement of a call from a communication device coupled to a first node, causing said first node to examine an associated call plan only therefor, so as to determine whether said first node is coupled to said called device (steps 501-502)(column 5, lines 15-22 and column 6, lines 55-57);

(c) in response to said first node determining that said first node is coupled to said called device, routing said call to said called device, but otherwise transmitting a query message from said first node to all other nodes of said network, said query message being operative to inquire whether a respective node receiving said query message is coupled to said called device (step 504) (column 5, lines 15-22 and column 6, lines 55-57);

(d) at said all other nodes of said network examining respective call plans only therefor, so as to determine whether said called device is contained therein (step 602: column 6, lines 1-7);

(e) at only a second node which is that one of said all other nodes of said network to which said called device is coupled, transmitting a reply message to said first node indicating that said second node is coupled to said called device (step 505) (column 5, lines 22-26 and column 6, lines 57-61); and

(f) in response to receipt of said reply message by said first node, routing said call from said first node to said second node, so that said second node may complete the connection of said call to said called device (step 506) (column 5, lines 28-35 and column 6, lines 63-66).

with regard to claim 2, Sasamoto teaches (figure 5a):

The method according to claim 1, wherein step (a) includes the precursor step of causing said first node to examine an associated call plan therefor to determine whether said first node is coupled to said called device (step 502)(column 5, lines 15-22 and column 6, lines 55-57).

With regard to claims 3, 6, and 9, Sasamoto teaches (figure 7c):

The method according to claim 1, wherein step (b) comprises at one or more third nodes to which said called device is not coupled, ignoring said query message, so that no reply message is transmitted therefrom (column 6, lines 58-62).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 7, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasamoto in view of Moriyama (US 6,741,696).

Sasamoto discloses all of the subject matter as described above except for wherein each node comprises a private branch exchange.

Moriyama teaches PBX that can communicate with other PBXs to exchange information (column 5, lines 50-67 to column 6, lines 1-10, see figure 4) for controlling communication lines in order to a more efficient call distributing system (column 2, lines 20-26).

Sasamoto is another form of call distributing system, the gateways and routers exchange information about the location of mobile device in the system. Therefore it would have been obvious to one having ordinary skill in the art at the time invention was made have each node be a private branch exchange as taught by Moriyama in the call distributing system of Sasamoto in order to have a more efficient call distributing system.

Response to Arguments

5. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus R. Smith whose telephone number is 571 270 1096. The examiner can normally be reached on Mon-Fri. 7:30 am - 5:00 pm every other Friday.

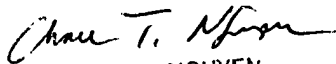
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/619,327
Art Unit: 2619

Page 8

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRS 1/18/08


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